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EXAMINER

FOX, BRYAN J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/015,852

Applicant(s)

YULE, ANDREW T.

Examiner

Bryan J Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the phrase "is disclosed" on line 7 can be implied. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

Claim 3 is objected to because of the following informalities: the phrase "wherein the travel related information includes the identities of more than location on the route of the transport and wherein the user is able to select as an option one of the locations displayed" is unclear. The examiner suggests adding the word "one" after the word "than" in line 2 of the claim. For the purposes of this office action, the examiner will read the claim to be "wherein the travel related information includes the identities of more than one location on the route of the transport and wherein the user is able to select as an option one of the locations displayed". Appropriate correction is required.

Claim 8 is objected to because of the following informalities: "A method according to claims 1" is unclear because it is dependent upon only one claim but is written as if it has multiple dependencies. Appropriate correction is required.

Claim 12 is objected to because of the following informalities: the phrase "enabling to user of the mobile..." in line 2 of the claim is unclear. The examiner will read this phrase as "enabling the user of the mobile..." for the purposes of this office action. Appropriate correction is required.

Claim 15 is objected to because of the following informalities: "A method according to any of claims 12" is unclear because it is dependent upon only one claim but is written as if it has multiple dependencies. Appropriate correction is required.

Claim 27 recites the limitation "the e-ticket" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 is objected to because of the following informalities: the word "a" is missing before the word "stop" on line 2. For the purposes of this action, the claim will be read "related to a stop on the route...". Appropriate correction is required.

Claim 28 recites the limitation "the e-ticket" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 40 is objected to because of the following informalities: the phrase "enabling to user..." should read "enabling the user...". Appropriate correction is required.

Claim 50 recites the limitation "the e-ticket" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 51 recites the limitation "the e-ticket" in line 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 29 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

Regarding claim 29, it is unclear what is being claimed because it pertains to both a method and a device.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 19, 20, 25, 30-37, 42, 43, 48, 52, 53, 55, 56 and 59-62 are rejected under 35 U.S.C. 102(b) as being anticipated by Dulaney et al (WO93/13503).

Regarding claim 1, Dulaney et al discloses a system that provides a convenient means of alerting the commuter of the transit vehicles arrival at the destination station the commuter has preselected (see page 4, lines 34-36), which reads on the claimed "method of providing travel related information to a user of a mobile communications device". When a notification receiver receives the encoded notification signal identifying the preselected destination, the commuter is alerted (see page 5, lines 19-22), which

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reads on the claimed "determining whether the mobile communications device is either traveling on a transport, has recently traveled on a transport, or is likely to travel on a transport at some time in the near future". Selection of either audible, visual or silent alerting is provided by the selector switches 76 (see page 10, lines 2-7), which reads on the claimed "depending on the outcome of that determination, displaying to a user on the mobile communications device selected travel related information".

Regarding claim 2, Dulaney et al discloses that the microcomputer recovers the destination table information from RAM 104 and directs the information over the data bus 108 to the display driver 114 which processes the information and formats the information for display by a display such as an LCD (see page 11, lines 5-21), which reads on the claimed "the travel related information includes the identity of at least one location on the route of the transport".

Regarding claim 3, Dulaney et al discloses that a display 78 is provided which is utilized to display the destination information stored in the destination memory 74, enabling the commuter to readily select the destination at which an alert is desired (see page 9, lines 6-10), which reads on the claimed "the travel related information includes the identities of more than location on the route of the transport and wherein the user is able to select as an option one of the locations displayed".

Regarding claim 4, Dulaney et al discloses that the system may be used in mass transit systems, such as in a commuter railroad transportation system (see page 4, lines 17-36), which reads on the claimed "the transport is a scheduled transport". Dulaney et al further discloses that the microcomputer recovers the destination table information

from RAM 104 and directs the information over the data bus 108 to the display driver 114 which processes the information and formats the information for display by a display such as an LCD (see page 11, lines 5-21), which reads on the claimed "the travel related information includes at least one scheduled stop on the route".

Regarding claim 5, Dulaney et al discloses that In order for the system to work, the receiver receives an encoded notification signal identifying the preselected destination station (see page 5, lines 19-23), which reads on the claimed "the mobile communications device is determined to be traveling on the scheduled transport". The memory contains destinations along the transit route being traveled (see page 8, line 35 – page 9, line 19), which reads on the claimed "the travel related information only includes those stops at which the user may subsequently alight the scheduled transport".

Regarding claim 6, Dulaney et al discloses that the system alerts the user by the notification receiver at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 12-19), which reads on the claimed "the mobile communications device is determined to be traveling on the scheduled transport; and wherein the travel related information further includes estimated time-of-arrival (TOA) information". Each station, A through N, includes one or more relatively low power identification transmitters 12, 14, 16 which transmit encoded notification signals uniquely identifying each destination, or station and the transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver either at a predetermined distance from the

destination station, such as at a distance of one or two miles from the destination station, or at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 8-19), which reads on the claimed "providing an estimate of the current position of the mobile communication device" and "calculating an estimate of the TOA of the scheduled transport for at least one subsequent stop of the route". When the notification signal identifying the preselected destination station, the commuter is alerted (see page 5, lines 19-22), which reads on the claimed "providing schedule information relating to the route of that transport".

Regarding claim 7, Dulaney et al discloses that additional destinations may be programmed (see page 14, lines 5-18), which reads on the claimed "the travel related information includes the identities and TOAs for more than one stop on the route of the scheduled transport". The additional destinations are programmed by selecting them on the selection screen menu (see page 14, lines 5-19), which reads on the claimed "the user is able to select as an option one of the stops displayed".

Regarding claim 19, Dulaney et al discloses the use of transmitters that transmit encoded notification signals uniquely identifying each destination or station. The transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver (see page 5, lines 3-31), which reads on the claimed "at least part of the determination of whether the mobile communications device is either traveling on a transport, has recently traveled on a transport or is likely to travel on a transport at some time in the near future is done by identifying whether the mobile communications device is currently or has recently



received a message broadcasted from a transmitter located either on the scheduled transport, on or near the scheduled transport route or at or near a stop on the scheduled transport route”.

Regarding claim 20, Dulaney et al discloses the use of transmitters that transmit encoded notification signals uniquely identifying each destination or station. The transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver (see page 5, lines 3-31), which reads on the claimed “at least part of the determination of whether the mobile communications device is either traveling on a transport, has recently traveled on a transport or is likely to travel on a transport at some time in the near future is done by identifying whether the mobile communications device is located on the route of a scheduled transport at or near a scheduled transport terminus”.

Regarding claim 25, Dulaney et al discloses that the notification receiver is programmed by the commuter to select the destination station at which departure from the transit vehicle is desired (see page 5, lines 3-8), which reads on the claimed “at least part of the determination of whether the mobile communications device is either traveling on a transport, has recently traveled on a transport or is likely to travel on a transport at some time in the near future is done by identifying whether the mobile communications device has been instructed by the user that either the user is traveling on a scheduled transport, has recently traveled on a scheduled transport or intends to travel on a scheduled transport at some time in the near future”.

Regarding claim 30, Dulaney et al discloses that the receiver comprises a controller/decoder 68 that processes signals (see page 8, lines 30-37 and figure 6), which reads on the claimed "processor," that receives a notification signal to determine if the user is approaching his destination (see page 9, lines 6-19), which reads on the claimed "mobile communications device comprising a processor for determining whether the mobile communications device is either traveling on a transport, has recently traveled on a transport, or is likely to travel on a transport at some time in the near future".

Regarding claim 31, Dulaney et al discloses that when a notification receiver receives the encoded notification signal identifying the preselected destination, the commuter is alerted (see page 5, lines 19-22), which reads on the claimed "determining whether the mobile communications device is either traveling on a transport, has recently traveled on a transport, or is likely to travel on a transport at some time in the near future". Selection of audible, visual or silent alerting is provided by the selector switches 76 (see page 10, lines 2-7), which reads on the claimed "the mobile communications device is configured to display to a user on the mobile communications device depending on the outcome of that determination".

Regarding claim 32, Dulaney et al discloses that when a notification receiver receives the encoded notification signal identifying the preselected destination, the commuter is alerted (see page 5, lines 19-22), which reads on the claimed "the travel information includes the identity of at least one location on the route of the transport".

Regarding claim 33, Dulaney et al discloses that a display 78 is provided which is utilized to display the destination information stored in the destination memory 74, enabling the commuter to readily select the destination at which an alert is desired (see page 9, lines 6-10), which reads on the claimed "the travel related information includes the identities of more than location on the route of the transport and wherein the user is able to select as an option one of the locations displayed".

Regarding claim 34, Dulaney et al discloses that the system may be used in mass transit systems, such as in a commuter railroad transportation system (see page 4, lines 17-36), which reads on the claimed "the transport is a scheduled transport". Dulaney et al further discloses that the microcomputer recovers the destination table information from RAM 104 and directs the information over the data bus 108 to the display driver 114 which processes the information and formats the information for display by a display such as an LCD (see page 11, lines 5-21), which reads on the claimed "the travel related information includes at least one scheduled stop on the route".

Regarding claim 35, Dulaney et al discloses that in order for the system to work, the receiver receives an encoded notification signal identifying the preselected destination station (see page 5, lines 19-23), which reads on the claimed "the mobile communications device determines that it is traveling on the scheduled transport". The memory contains destinations along the transit route being traveled (see page 8, line 35 – page 9, line 19), which reads on the claimed "the travel related information only

includes those stops at which the user may subsequently alight the scheduled transport".

Regarding claim 36, Dulaney et al discloses that the system alerts the user by the notification receiver at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 12-19), which reads on the claimed "the travel related information further includes estimated (TOA) information for at least one subsequent stop on route". Each station, A through N, includes one or more relatively low power identification transmitters 12, 14, 16 which transmit encoded notification signals uniquely identifying each destination, or station and the transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver either at a predetermined distance from the destination station, such as at a distance of one or two miles from the destination station, or at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 8-19), which reads on the claimed "determined by the processor from an estimate of the current position of the mobile communications device". When the notification signal identifying the preselected destination station, the commuter is alerted (see page 5, lines 19-22), which reads on the claimed "providing schedule information relating to the route of that transport".

Regarding claim 37, Dulaney et al discloses that additional destinations may be programmed (see page 14, lines 5-18), which reads on the claimed "the travel related information includes the identities and TOAs for more than one stop on the route of the scheduled transport". The additional destinations are programmed by selecting them on

the selection screen menu (see page 14, lines 5-19), which reads on the claimed "the user is able to select as an option one of the stops displayed".

Regarding claim 42, Dulaney et al discloses the use of transmitters that transmit encoded notification signals uniquely identifying each destination or station. The transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver (see page 5, lines 3-31), which reads on the claimed "the processor is configured to determine whether the mobile communications device is either traveling on a transport, has recently traveled on a transport or is likely to travel on a transport at some time in the near future is done by identifying whether the mobile communications device is currently or has recently received a message broadcasted from a transmitter located either on the scheduled transport, on or near the scheduled transport route or at or near a stop on the scheduled transport route".

Regarding claim 43, Dulaney et al discloses the use of transmitters that transmit encoded notification signals uniquely identifying each destination or station. The transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver (see page 5, lines 3-31), which reads on the claimed "the processor is configured to determine whether the mobile communications device is either traveling on a transport, has recently traveled on a transport or is likely to travel on a transport at some time in the near future is done by identifying whether the mobile communications device is located on the route of a scheduled transport at or near a scheduled transport terminus".

Regarding claim 48, Dulaney et al discloses that a display 78 is provided which is utilized to display the destination information stored in the destination memory 74, enabling the commuter to readily select the destination at which an alert is desired (see page 9, lines 6-10), which reads on the claimed "the processor is configured to determine whether the mobile communications device is either traveling on a transport, has recently traveled on a transport, or is likely to travel on a transport at some time in the near future by identifying whether the mobile communications device has been so instructed by a user".

Regarding claim 52, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination to alert the commuter that the current destination is being approached, or at which the transit vehicle has stopped (see page 6, lines 24-31), which reads on the claimed "travel information beacon adapted to broadcast travel related information including schedule information relating to the route of a scheduled transport".

Regarding claim 53, Dulaney et al discloses that the transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver either at a predetermined distance of one or two miles from the destination station, or at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 13-19), which reads on the claimed "the travel related information includes estimated TOA information relating to at least one stop on the route of the scheduled transport".

Regarding claim 55, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination (see page 6, lines 24-31), which reads on the claimed "located either on a scheduled transport, on or near the scheduled transport route or at or near a stop on the scheduled transport route".

Regarding claim 56, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination to alert the commuter that the current destination is being approached, or at which the transit vehicle has stopped (see page 6, lines 24-31), which reads on the claimed "travel information beacon adapted to broadcast travel related information and an estimate of the position of the beacon".

Regarding claim 59, Dulaney et al discloses that the transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver either at a predetermined distance of one or two miles from the destination station, or at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 13-19), which reads on the claimed "the travel related information includes schedule information relating to the route of a scheduled transport".

Regarding claim 60, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination (see page 6, lines 24-31), which reads on the claimed "located either on a scheduled

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transport, on or near the scheduled transport route or at or near a stop on the scheduled transport route”.

Regarding claim 61, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination (see page 6, lines 24-31), which reads on the claimed “travel information beacon for broadcasting travel related information and located on or near the scheduled transport or at or near a stop on the scheduled transport route”.

Regarding claim 62, Dulaney et al discloses notification transmitters are either positioned ahead of each destination, such as the bus stop, or at the destination (see page 6, lines 24-31), which reads on the claimed “attached to a shelter for a stop on the scheduled transport route”.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.



Claims 8, 9, 11-13, 15, 16, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Orlen et al (US005579535A).

Regarding claim 8, Dulaney et al fails to teach the use of supplementary travel related information from an information service provider.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see column 5, lines 29-49).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized information in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 9, Dulaney et al fails to disclose an advertisement to obtain the supplementary travel related information.

In similar field of endeavor, Orlen et al discloses that when the user selects data mode, the system transmits menu information (see column 10, lines 60-65). When the user selects a menu item, further information is transmitted and displayed (see column 11, lines 9-51), which reads on the claimed "the travel related information displayed is an advertisement to obtain the supplementary travel related information".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above menu system in order to provide the user with a manageable amount of data at one time.

Regarding claim 11, Dulaney et al discloses that the system is intended to provide in mass transit systems, such as in a commuter railroad system (see page 4, lines 17-21). Dulaney et al fails to teach that the supplemental information is relates to a location on the route of transport.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see column 5, lines 29-49) and may be used in places such as bus stations, railway stations and airports (see column 5, lines 19-21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized information in commuter stations in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 12, Dulaney et al fails to teach the use of supplementary travel related information from an information service provider.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see column 5, lines 29-49). When the user selects data mode, the system transmits menu information (see column 10, lines 60-65). When the user selects a menu item, further information is transmitted and displayed (see column 11, lines 9-51).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized

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information in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 13, Dulaney et al fails to disclose that the travel related information is an advertisement.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see Orlen et al column 5, lines 29-49), which reads on the claimed "travel related service". When the user selects data mode, the system transmits menu information (see Orlen et al column 10, lines 60-65), which reads on the claimed "travel related information displayed is an advertisement for the travel related service". When the user selects a menu item, further information is transmitted and displayed (see Orlen et al column 11, lines 9-51).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized information in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 15, Dulaney et al discloses that the system is intended to provide in mass transit systems, such as in a commuter railroad system (see page 4, lines 17-21). Dulaney et al fails to teach that the supplemental information is relates to a location on the route of transport.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location

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and motel information (see column 5, lines 29-49) and may be used in places such as bus stations, railway stations and airports (see column 5, lines 19-21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized information in commuter stations in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 16, Dulaney et al fails to teach the use of advertising.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see column 5, lines 29-49).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized information in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Regarding claim 38, Dulaney et al fails to teach the use of supplementary travel related information from an information service provider.

In a similar field of endeavor, Orlen et al discloses a system that provides localized information data such as gas prices and station locations, restaurant location and motel information (see column 5, lines 29-49).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Orlen et al to include the above localized

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information in order to provide information of interest to the subscriber as suggested by Orlen et al (see column 13, lines 11-15).

Claims 10, 14 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Orlen et al as applied to claims 8, 12 and 30 above, and further in view of well-known prior art (MPEP 2144.03).

Regarding claims 10, 14 and 39, the combination of Dulaney et al and Orlen et al fails to expressly disclose the use of web links.

However, the examiner takes official that the use of web links to provide information was well known at the time of the invention.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Dulaney et al and Orlen et al to use Internet web links in order to make use of an established and popular interface.

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Rosen et al (US006014090A).

Regarding claim 17, Dulaney et al fails to teach the use of a website.

Rosen et al discloses a system for providing local information to travelers (see column 1, lines 6-10) where the system may provide WEB pages that contain information that may be of interest to travelers (see column 4, lines 2-4).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Rosen et al to include the above use of web

pages in order to take advantage of the benefits of using the Internet, such as an established and popular interface.

Regarding claim 18, Dulaney et al fails to disclose automatically connecting to a website.

Rosen et al discloses a system where a resolution server may construct a URL corresponding to different geographic location identifiers (see column 5, lines 44-58) and the system connects to the resolution server when the location is determined (see figure 3), which reads on the claimed "the website is automatically connected to upon the determination of whether the mobile communications device is either traveling on a transport, has recently traveled on a transport, or is likely to travel on a transport at some time in the near future".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Rosen et al to include the above use of web pages in order to take advantage of the benefits of using the Internet, such as an established and popular interface.

Claims 21-24, 44-47 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Velazquez et al (US 20010003443A1).

Regarding claims 21 and 44, Dulaney et al fails to expressly disclose that the that the transmitter message contains an estimate of the position of the transmitter and wherein that position is used as an estimate of the position of the mobile communication device.

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Velazquez et al discloses a position determining system where when the GPS receiver in the mobile is cold starting, the base station 20 provides a rough location estimate to orient the GPS receiver (see paragraphs 55-56 and figure 8).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Velazquez et al to include the above provision of a rough location estimate from the base station in order to expedite the position acquisition as suggested by Velazquez et al (see paragraph 56).

Regarding claims 22 and 45, Dulaney et al fails to expressly disclose that the communications device comprises position determining means.

In a similar field of endeavor, Velazquez et al discloses that the GPS is included in the mobile (see Velazquez et al paragraphs 55-56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Velazquez et al to include the use of GPS in order to take advantage of the benefits of GPS systems such as the fact that they are small and inexpensive as suggested by Velazquez et al (see paragraph 7).

Regarding claims 23 and 46, Dulaney et al fails to disclose that a GPS is included in the mobile (see Velazquez et al paragraphs 55-56).

In a similar field of endeavor, Velazquez et al discloses that the GPS is included in the mobile (see Velazquez et al paragraphs 55-56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Velazquez et al to include the use of GPS in

order to take advantage of the benefits of GPS systems such as the fact that they are small and inexpensive as suggested by Velazquez et al (see paragraph 7).

Regarding claims 24 and 47, Dulaney et al fails to expressly disclose that the position determining is adapted to determine the position of the mobile in cooperation with a plurality of cellular communication base stations.

Velazquez et al discloses that the position may be determined via triangularization from adjacent base stations (see paragraph 56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Velazquez et al to include the above triangularization in order to provide a more accurate estimate of the position of the mobile.

Regarding claim 54, Dulaney et al discloses that the transmitters provide a transmitted output signal which is of sufficient power to be received within the transit vehicle by the notification receiver either at a predetermined distance of one or two miles from the destination station, or at a predetermined time prior to arriving at the destination station, such as five minutes away (see page 5, lines 13-19). Further, Dulaney et al discloses over-the-air reprogramming of the destination information by transmitting a destination table, which reads on the claimed "schedule information". Dulaney et al fails to expressly disclose that the transmitter estimates its position.

Velazquez et al discloses a system where the base station 20 transmits its position to the mobile unit 30 (see paragraph 57).



It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Velazquez et al to include the above transmission of the base station position to the mobile in order to provide a cheap and easy rough estimate of the location of the mobile.

Claims 26-28, 40 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Sehr (US 20020100803A1).

Regarding claims 26 and 49, Dulaney et al discloses that a route may be downloaded to the receiver (see page 15, line 32 – page 16, line 26). Dulaney et al fails to expressly disclose that a determination is made by identifying whether the mobile communications device is currently in possession of an electronic ticket.

Sehr discloses a passenger card 11 that can input, store, process, output and display data relating to tickets, passengers, and system entities; as well as to services rendered via the card. The data stored in the card includes the equivalent of an electronic ticket for a particular itinerary (see column 6, lines 16-28). An exemplary service would be tracking the travel route of a user and illustrating any deviation from the directions that are recommended by the card-based street map (see column 37, lines 45-63).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Sehr to include the above electronic ticket in order to extend the capabilities provided to travelers.

Regarding claims 27 and 50, Dulaney et al fails to disclose that the travel information is specifically related to a route identified by the e-ticket.

Sehr discloses that the system may track the travel route of a user and illustrate any deviation from the directions that are recommended by the card-based street map (see Sehr column 37, lines 45-63), which reads on the claimed "the travel related information is specifically related to a route identified by the e-ticket".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Sehr to include the above route information with the electronic ticket in order to extend the capabilities provided to travelers.

Regarding claims 28 and 51, Dulaney et al fails to teach that the travel related information is specifically related to stop on the route identified by the e-ticket.

Sehr discloses a passenger card 11 that can input, store, process, output and display data relating to tickets, passengers, and system entities; as well as to services rendered via the card. The data stored in the card includes the equivalent of an electronic ticket for a particular itinerary (see column 6, lines 16-28). An exemplary service would be tracking the travel route of a user and illustrating any deviation from the directions that are recommended by the card-based street map (see column 37, lines 45-63). Upon arrival at the hotel, the passenger presents the passenger card to the registration desk for confirmation (see column 37, lines 63-67).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Sehr to include the above electronic ticket in order to extend the capabilities provided to travelers.

Regarding claim 40, Dulaney et al fails to disclose that the user may use the wireless link for the purpose of enabling the user to procure over the wireless link.

Sehr discloses a system where a user may load money onto a passenger card to pay for travel tickets or the goods and services ordered and purchased by the passenger (see column 21, lines 28-33) and may use a wireless interface (see column 8, lines 59 – column 9, line 19).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Sehr to include the above procurement ability in order to extend the useful capabilities available to travelers.

Regarding claim 41, Dulaney et al fails to expressly disclose the use of a website.

Sehr discloses a system where the ordering of travel services may be done over the World Wide Web (see column 21, lines 22-27).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Sehr in order to make use of an established and popular interface.

Claims 57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulaney et al in view of Hayashi (US006393263B1).

Regarding claims 57 and 58, Dulaney et al fails to teach that the transmitter comprises position determining means for determining the position of the transmitter.

Hayashi discloses a base station that includes a GPS receiver (see figure 3).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dulaney et al with Hayashi to include a GPS receiver in the transmitter in order to provide an effective way of determining the position of the transmitter that would be automatically updated in the case it is moved.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chern et al (US 20020010000A1) discloses Knowledge-based information retrieval system and method for wireless communication device.

Sasaki (US005548835A) discloses a train radio communication system.

DeLorme et al (US005802492A) discloses a computer aided routing and positioning system.

Jones (US005657010A) discloses advance notification system and method utilizing vehicle progress report generator.

Klitsgaard et al (US006624752B2) discloses an object detection system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (703) 305-8994. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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